

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-8 and 10-22 are pending. Claims 1 and 14 are independent. Claims 1, 2, 5-8, 10, 12-14, 16, 18, 19, 21 and 22 are hereby amended. Claims 9 and 23-34 are canceled, without prejudice or disclaimer of subject matter. No new matter is added by these amendments. Support for the amended recitations in the claims is found throughout the specification, and specifically at page 35, line 25 to page 37, line 26. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

The specification was objected to. Specifically, the Examiner objected to claims 1 and 14. Applicants have amended claims 1 and 14. Applicants therefore respectfully request that the objection to the specification be withdrawn.

**II. REJECTION UNDER 35 U.S.C. § 112**

Claims 1-23 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Claims 1-22 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite.

Applicants have amended claims 1, 2, 5-8, 10, 12-14, 16, 18, 19, 21 and 22, thereby obviating the rejection. Applicants respectfully request the rejection under 35 U.S.C. § 112, first and second paragraph be withdrawn.

### **III. REJECTIONS UNDER 35 U.S.C. §102 and 103**

Claims 14-21 (and presumably claims 1-13) were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,134,223 to Burke et al.

Claims 14-21 (and presumably claims 1-13) were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Burke et al.

Claim 1 recites, *inter alia*:

“A communication service method...

wherein compensation is given to said first user of said one of said plurality of communication terminal apparatus that delivered said third image signal, said compensation is based on a predetermined condition concerning the delivery of said third image signal of the one or more products.” (emphasis added)

As understood by Applicants, U.S. Patent No. 6,134,223 to Burke et al. relates to a video access apparatus that provides for audio and video teleconferencing and telephony via a first communication channel coupled to a primary station having communication with a network, such as the public switched telephone network or an ISDN network. The video access apparatus includes a video network interface; a radio frequency modulator/demodulator; a user interface; and a processor arrangement.

Applicants submit that Burke does not teach or suggest the above-identified features of claim 1. Specifically, Applicants submit that there is no teaching or suggestion of a compensation that is given to a first user of one of said plurality of communication terminal apparatus that delivered a third image signal, the compensation being based on a predetermined condition concerning the delivery of the third image signal of the one or more products, as recited in claim 1.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to or somewhat similar to those described above with regard to independent claim 1, amended independent claim 14 is also believed to be patentable.

Therefore, Applicants submit that independent claims 1 and 14 are patentable.

#### **IV. DEPENDENT CLAIMS**

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

#### **CONCLUSION**

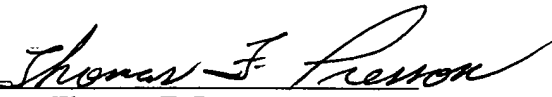
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By 

Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800